

JONATHAN E. FIELDING, M.D., M.P.H. Acting Director and Health Officer

JOHN SCHUNHOFF, Ph.D. Acting Chief Deputy

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July 7, 2006

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012

APPROVAL TO AMEND ORDINANCES CODIFIED UNDER LOS ANGELES COUNTY CODE TITLE 8 AND TITLE 20 - PUBLIC HEALTH LICENSE, PERMIT AND SERVICE FEES (All Districts) (3 Votes)

IT IS RECOMMENDED THAT FOLLOWING THE PUBLIC HEARING YOUR BOARD:

Approve the attached amendment to ordinances as codified under Los Angeles County Code (LACC) Title 8 and Title 20, public health license, permit, and service fees, to increase public health license, permit, and service fees, effective Fiscal Year (FY) 2006-07, by approximately three percent, effective 30 calendar days after the passage of this action following a public hearing, in order to allow the Department of Public Health's Environmental Health programs to recover revenue loss due to increased service costs.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

In approving the recommended action, the Board is allowing the Department of Public Health's (DPH or Department) Environmental Health programs to amend ordinances as codified under LACC Title 8 and Title 20, public health license, permit, and service fees, to increase public health license, permit, and service fees, effective FY 2006-07, to allow the Department to recover costs for the various program services provided by DPH's Environmental Health program.

Environmental Health is a regulatory agency within the DPH that performs mandated services related to food, housing, water, liquid and solid waste, and vectors. State and local health and safety codes provide for the authority to carry out regulatory activities that promote a safe and healthy environment, which are offset by the collection of license/permit and other service fees.

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Implementation of Strategic Plan Goals

The proposed fee increase will allow the Department to meet County's fiscal responsibility strategic goal by allowing the Department to secure the appropriate cost-based reimbursement fees for services provided by DPH's Environmental Health programs.

FISCAL IMPACT/FINANCING:

DPH's Environmental Health's projected operating cost for FY 2006-07 is \$66.75 million. Without the proposed three percent increase to the public health license, permit, and service fees, the Department estimates FY 2006-07 revenue to be approximately \$61.63 million. If approved, the approximate three percent increase will generate an additional \$1.84 million in revenue, or an increase from \$61.63 million to \$63.48 million.

If approved, most public health fees for FY 2006-07 will increase by approximately three percent, except for the functional hourly rate, and the backflow prevention assembly. The functional hourly rate will increase from \$52.50 to \$61.00 since in past years this fee had not been updated to recover costs for special services rendered under LACC Section 8.04.728(c). The backflow prevention assembly fee will be increased from \$16 to \$18 to fully recover costs for the processing of annual test notices for backflow prevention devices. These devices require annual testing, mandated by State and County codes. A three percent increase is not sufficient to fully cover the cost associated with the processing of devices in the DPH Environmental Health inventory.

Except as indicated above, the Department has decided to limit its proposed public health license, permit, and service fees increase to approximately three percent, instead of the actual eight and three tenths percent (8.3%) needed to fully recover projected costs. To address the projected budget shortfall for FY 2006-07 of \$3.27 million, the Department will keep its expenditures consistent with the revenue generated, while aggressively pursuing fee collections and closely monitoring its FY 2006-07 hiring plan.

Provisions within the LACC limit all fees to cost recovery only.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Pursuant to Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code, Section 6062a. On August 4, 2005, following a public hearing, the Board approved fee increases for regulatory and inspection activities, and ordinance amendments to the LACC, Title 8 and Title 20, for FY 2005-06.

CONTRACTING PROCESS

Not applicable. It is not appropriate to advertise ordinance amendments to the LACC on the Los Angeles (L.A.) County Online Web Site as a contract/business opportunity.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The plan developed to address past deficits and the projected budget shortfall for FY 2006-07 will continue, and will affect the inspection frequency and response capability of DPH Environmental Health

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programs. In general, the DPH expects program adjustments, while maintaining basic services at reduced levels. With the exception of the DPH housing inspection program, the Department anticipates the impact of the projected budget shortfall, as it relates to other current services, to slightly reduce the frequency of inspections, to create somewhat longer response times and longer approval periods for plan checks, as well as, fewer sweeps or investigations of unlicensed activities related to food vendors, garment manufacturers, and illegal dumpsites, but all still within mandated requirements.

Negative Declaration/Environmental Impact Reports

Not applicable.

When approved, its is requested that the Executive Officer of the Board of Supervisors return four adopted stamped copies of the Board letter and ordinances to the Director of Environmental Health, at 5050 Commerce Drive; Baldwin Park, California 91706.

Respectfully submitted,

Jonathan E. Fielding, M.D., M.P.H. Acting Director and Health Officer

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Attachments (1)

c: Chief Administrative Officer County Counsel Executive Officer, Board of Supervisors



JONATHAN E. FIELDING, M.D., M.P.H. Acting Director and Health Officer

Environmental Health

ARTURO AGUIRRE, R.E.H.S., M.A. Director of Environmental Health 5050 Commerce Drive Baldwin Park, California 91706 TEL (626) 430-5100 • FAX (626) 813-3000

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BOARD OF SUPERVISORS

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LEGAL NOTICE OF HEARING

July 7, 2006

TO:

Sachi A. Hamai

Executive Officer Board of Supervisors

FROM:

Arturo Aguirre, R.E.H.S., M.A.

Director of Environmental Health

SUBJECT: PUBLISHING NOTICE OF HEARING ON PROPOSED PUBLIC HEALTH

LICENSE, PERMIT, AND SERVICE FEES

This matter has been set for public hearing at the Board meeting of Tuesday, July 25, 2006. Pursuant to California Government Code, Section 66018, notice of this hearing must be published twice in a newspaper, which is published once a week or more often. Attached is the Notice of Hearing. The first publication must be no later than July 14, 2006, and the second publication no later than July 21, 2006.

If you need additional information, please contact me at (626) 430-5100.

AA:dc

Attachment

FISCAL YEAR 2006-07 NOTICE OF HEARING ON PROPOSED INCREASES TO PUBLIC HEALTH LICENSE, PERMIT, AND SERVICE FEES

Notice is hereby given that the Board of Supervisors will hold a public hearing regarding the increase of various Public Health license, permit, and service fees.

Said hearing will be held on July 25, 2006, at 9:30 a.m., in the Hearing Room of the Board of Supervisors, Room 361, Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue) Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the fee schedule. Further, notice is given that the Board of Supervisors may continue the hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call the Department of Public Health, Environmental Health Administration at (626) 430-5100.

Si no entiende esta noticia o si necesita más información, por favor llame a este número (626) 430-5100.

Sachi A. Hamai EXECUTIVE OFFICER

ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business

Regulations, and Title 20 – Utilities, of the Los Angeles County Code relating to fees and fee schedules for inspections conducted by the Department of Public Health by:

- Increasing many of the inspection fees found in Title 8; and
- Increasing many of the inspection fees found in Section 20.64.110, Permit and regulatory service fees.

RAYMOND G. FORTNER, JR. County Counsel

CHRISTINA A. SALSEDA Deputy County Counsel Health Services Division

CAS:vn

6/16/06 (requested) 6/29/06 (revised)

ORDINANCE	NO.	

An ordinance amending Title 8 – Consumer Protection and Business

Regulations, and Title 20 – Utilities of the Los Angeles County Code, relating to fees and fee schedules for inspections conducted by the Department of Public Health.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Animal keeper: Category Category II. Category III.	293.00 <u>302.00</u>
Boarding home: 5 to 15 persons	<u>214.00</u> <u>220.00</u> 331.00 <u>341.00</u>
Body art: Body art establishment Body art technician independent operator	122.00 <u>126.00</u> 122.00 <u>126.00</u>
Certified farmers' markets: Number of certified producers: 1 to 20	<u>518.00</u> <u>534.00</u>
Children's camp	362.00 373.00
Commercial sex venue	1,088.00

Commercial laundry: Less than 4,000 square feet 154.00 159.0 More than 4,000 square feet 338.00 348.0	00 00
Day care center: 7 to 15 children cared for 252.00 260.0 16 or more children 341.00 351.0 Fertilizer manufacturer 648.00 667.0 Food demonstrator 146.00 150.0 Reinspection 48.00 49.0	00 00
Food market, retail: More than 10, but less than 51 square feet. 51 square feet, but less than 2,000 square feet. 5,000 square feet, but less than 6,000 square feet. 6,000 square feet. 6,000 square feet or more. 8656.00 676.00 676.00 694.00 694.00 694.00 696.00 694.00 694.00 694.00 696.0	00
Food market, wholesale	<u>00</u>
Food processing establishment: Less than 2,000 square feet of food preparation rooms	<u>00</u>
Food salvager) <u>0</u>
Food vehicle: a. Independent wholesale: For each vehicle	
b. Retail: For each vehicle	

C.	Dairy: For each vehicleReinspection	
d.	LimitedReinspection	492.00 <u>507.00</u> 163.00 <u>168.00</u>
e.	Unpackaged food vehicles which sell or dispense nuts, produce, pretzels and similar bakery products, or candy	351.00 <u>362.00</u> 117.00 <u>121.00</u>
f.	Unpackaged food vehicles which sell or dispense popcorn, snow cones, hot dogs, or whole fish	.4 92.00 <u>507.00</u> . 163.00 <u>168.00</u>
g.	PrepackagedReinspection	<u>92.00</u> <u>287.00</u> <u>92.00</u> <u>95.00</u>
0 to 1 11 to 6 61 vel	commissary: 0 vehicles	823.00 <u>848.00</u> <u>356.00</u> <u>1,397.00</u>
Food Reins	vehicle storage facilityspection	307.00 <u>316.00</u> 37.00 <u>38.00</u>
Food Reins	vehicle cleaning and storage facilitypection	87.00 <u>349.00</u> 87.00 <u>90.00</u>
Food wareho	pusepection	450.00 <u>464.00</u> 162.00 <u>167.00</u>
Fruit and veg Reins	getable market, wholesalepection	512.00 <u>527.00</u> 196.00 <u>202.00</u>
Less t 1,001 5,000 10,00	nufacturing establishment: than 1,000 square feetto 4,999 square feetto 9,999 square feet	470.00 <u>484.00</u> 565.00 <u>582.00</u> 675.00 <u>695.00</u>

Hotel without swimming pool: 6 to 10 rooms. 11 to 50 rooms. 51 rooms and over. 11,3	506.00 <u>521.00</u>
Hotel with swimming pool: 6 to 10 rooms. 11 to 50 rooms. 51 rooms and over.	783.00 <u>806.00</u>
Laundry (self-service): Less than 4,000 square feet of work rooms	154.00 <u>159.00</u> <u>338.00</u> <u>348.00</u>
Milk warehouse	451.00 156.00
Mobile food-preparation unit	643.00 <u>662.00</u> 214.00 <u>220.00</u>
Multiple-dwelling units without swimming pool: Apartments 5 to 10 units. Apartments 11 to 20 units. Apartments 21 to 50 units. Apartments 51 to 100 units. Apartments 101+ units. Condominiums 5 to 20 units. Condominiums 21 to 50 units. Condominiums 51 or more units.	281.00 289.00 342.00 352.00 414.00 426.00 433.00 446.00 86.00 89.00 128.00 132.00
Multiple-dwelling units with swimming pool: Apartments 5 to 10 units	448.00 461.00 522.00 538.00 612.00 630.00 633.00 652.00 224.00 231.00 267.00 275.00
Personal hawkerReinspection	<u>146.00</u> <u>150.00</u> 48.00 <u>49.00</u>
Pet food store	216.00 <u>222.00</u> 100.00 <u>103.00</u>

Picnic service operator
Private boarding school449.00 462.00
Processor-owned milk-delivery vehicle: For each vehicle
Public water system: a. State small water systems
Restaurant: For seating capacity of: Under 11 .512.00 527.00 11 to 30 .653.00 673.00 31 to 60 .755.00 778.00 61 to 100 .846.00 871.00 101 to 150 1,073.00 1,105.00 151 to 200 1,091.00 1,124.00 201 to 400 1,196.00 1,232.00 401 or over 1,357.00 1,398.00 Reinspection: 1 to 100 seats .101.00 104.00 Reinspection: 101 or more seats .99.00 102.00
(In computing drive-in restaurant seating capacity, each customer parking space shall
be calculated as equivalent to a seating capacity of two. Notwithstanding any of the
foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a
walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall
be equivalent to that imposed on a restaurant of less than 11 seats.)
Septic tank, cesspool, chemical toilet or sewage seepage pit: For each cleaning vehicle
Swap meet prepackaged food stand

Swimming pool or public swimming area	<u>275.00</u> <u>283.00</u>
Theater (including drive-in)	189.00 195.00
Toilet rental agency	424.00 437.00
Tourist court without swimming pool: 6 to 10 rooms	506.00 521.00
Tourist court with swimming pool: 6 to 10 rooms	783.00 <u>806.00</u>
Vending machines	57.00 <u>59.00</u> <u>26.00</u> <u>27.00</u>
Wiping rag business	154.00 159.00

SECTION 2. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Plan check and site inspection fees.

The plan check and site inspection fees required to be paid at the time of submitting plans are as follows:

Plan Check and Site Inspection

Business Classification	Fees
Body art establishment	249.00 256.00
Mobile body art establishment	249.00 256.00
Cross-connection	1,247.00 1,284.00
Food facility remodel, 300 square feet or less	253.00 261.00

Food market, wholesale and retail: 10 to 50 square feet. 51 to 1,999 square feet. 2,000 to 5,999 square feet. 6,000 or more square feet.	447.00 <u>460.00</u> 590.00 <u>608.00</u>
Food processing establishment: 1 to 1,999 square feet. 2,000 to 5,999 square feet. 6,000 or more square feet. 1,08	739.00 <u>761.00</u>
Food salvager	429.00 442.00
Food vehicle, retail	315.00 324.00
Food vehicle commissary	338.00 348.00
Food vehicle storage facility	162.00 <u>167.00</u>
Food vehicle cleaning and storage facility	162.00 <u>167.00</u>
Food warehouse	.338.00 348.00
Laundry facility	.110.00 113.00
Radiation health: Dental Other	. 268.00 <u>276.00</u> . 529.00 <u>545.00</u>
Restaurant: 0 to 60 seats	50.00 <u>1,082.00</u>
Swimming pool, public	748.00 <u>770.00</u>

- SECTION 3. Section 8.04.728 is hereby amended to read as follows: 8.04.728 Service charges -- Basis -- Payment.
- A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the county health officer, necessitating the county health officer to provide a service, such person shall pay a fee to offset the costs incurred by the county health officer as set forth in this section.
- B. Any person who voluntarily seeks to secure, from the county health officer, an inspection, evaluation, report, approval, or other service related to a business not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the county health officer as set forth in this section.
- C. Requests for special services described in subsections A and B of this section shall be made on forms provided for that person by the county health officer. Services provided by the county health officer for businesses that are not listed in Section 8.04.720 and that are not detailed in the following schedule shall be charged at the rate of \$52.50 61.00 per hour. All applicable fees, as provided in this chapter, shall be paid at the time of application.
- D. The following is the schedule of fees for services provided by the county health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	\$16.00 18.00
Backflow prevention device tester: Biennial certification examination tester fee Listing of certified backflow prevention device testers	274.00 <u>282.00</u> 222.00 <u>229.00</u>
Body art technician: Triennial certificate of registration	29.00 30.00
Coastal Commission — Approval in concept	362.00 373.00
Entomology: Specimen identification	48.00 18.50
Massage parlor: Massage parlor inspection. Massage technician exam.	230.00 <u>237.00</u> 147.00 <u>151.00</u>
Mountain cabin site: Health officer inspection (per United States Forest Service require Functional hourly rate	ements)
Nondiagnostic laboratories: Annual fee Additional fee site Additional diagnostic test fee	4 5.00 <u>46.00</u>
Owner initiated inspection	224.00 231.00
Private sewage disposal system: Health officer inspection (per VA/FHA requirements) Health officer permit (per Title 28, Los Angeles County Code,	.338.00 348.00
Ordinance 2269, Section 1109): New system Existing system	727.00 <u>749.00</u> 667.00 <u>687.00</u>
Site transfer/site address change	4 8.00 <u>49.00</u>
Soft serve high count resample	91.00 94.00
Swimming pool service exam and certification: Swimming pool service technician exam	

The above fees are to be paid annually.

vehicle......61.00 63.00

 B. Solid waste facility 	В.	Solid	waste	faci	lity
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- 1. Permit application fees:
 - a. New application......923.00 951.00
 - b. Application to revise or modify existing permit.....923.00 951.00
- 2. Regulatory services fees:
 - a. Disposal site or facility:
 - i. Where specific tonnages of waste are measured......0.1920 per ton
 - ii. Where weight of waste is not measured in tonnage......0.01718 per cubic yard
 - b. Transfer/processing station:

 - ii. Where weight of waste is not measured in tonnage......0.04718 per cubic yard

The above regulatory fees are to be paid monthly.

- c. Small volume transfer station:
 - i. Permit application fees:
 - (A) New applications......923.00 951.00
 - (B) Application to revise or modify existing permit.....923.00 951.00

The above regulatory services fee is to be paid annually.

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